In the Claims

Claims 1-12 (withdrawn).

13. (currently amended) A combination of a thermal preservation insert and a plastic food container, comprising:

a plastic food container including a bottom and a container wall, said container wall having a lower portion that meets the bottom,

a thermal preservation insert comprising:

a disk, the disk containing a thermal preservation fluid completely buried inside the disk,

the disk having a lower surface that conforms to a shape of the bottom of the plastic food container, and

the disk having a side that conforms to a shape of the lower portion of the container wall of the plastic food container

,the disk resting on the bottom of the plastic food container, said disk not fastened to a part of the plastic container.

14. (original) The combination of claim 13, wherein the disk has a substantially flat upper surface.

15. (original) The combination of claim 14, wherein the upper surface of the disk is substantially smooth.

16. (currently amended) The combination of claim ~~15~~ 13, wherein the upper surface of the disk has a plastic tab jutting out.

17. (currently amended) A combination of a plastic food container with a thermal preservation insert, comprising:

a plastic food container including a bottom and a sloping container wall, an interior space defined by said sloping container wall narrowing toward the bottom, said plastic food container having a lower portion that meets the bottom,

a thermal preservation insert comprising:

a disk, the disk containing a thermal preservation fluid completely buried inside the disk,

the disk having a lower surface that conforms to a shape of the bottom of the plastic food container,

the disk having a side that conforms to ~~the lower~~ an intermediate portion of the sloping container wall of the plastic food container, ~~and~~

,the disk resting on the bottom of the plastic food container, said disk not fastened to a part of the plastic container,

the ~~flat~~ disk capable of being ~~inserted~~ repositioned ~~into~~ in the plastic food container so as to rest on ~~an~~ the intermediate portion of the sloping container wall of the plastic food container without being fastened to a part of the plastic container.

18. (original) The combination of claim 17, wherein the disk has a substantially flat upper

surface.

19. (original) The combination of claim 18, wherein the upper surface of the disk is substantially smooth.

20. (currently amended) The combination of claim ~~19~~ 17, wherein the upper surface of the disk has a plastic tab jutting out.

21. (currently amended) A combination of a plastic food container with two thermal preservation inserts, comprising:

a plastic food container including a bottom and a sloping container wall, an interior space defined by said sloping container wall narrowing toward the bottom, said plastic food container having a lower portion that meets the bottom,

a first thermal preservation insert placed on the bottom of the plastic food container and comprising:

a disk, the disk containing a thermal preservation fluid completely buried inside the disk,

the disk having a lower surface that conforms to a shape of the bottom of the plastic food container,

the disk having a side that conforms to the lower portion of the sloping container wall of the plastic food container, and

a second thermal preservation insert ~~identical to the first freezer disk~~ comprising a second disk containing a thermal preservation fluid completely buried inside the second disk, a side of the

second disk conforming to an intermediate portion of the sloping container wall of the plastic food container when the second thermal preservation insert rests ~~and resting~~ on ~~an~~ the intermediate portion of the sloping container wall ~~disk~~ of the plastic food container ,the disk resting on the bottom of the plastic food container, said disk not fastened to a part of the plastic container.

22. (original) The combination of claim 21, wherein the disk has a substantially flat upper surface.

23. (original) The combination of claim 22, wherein the upper surface of the disk is substantially smooth.

24. (currently amended) The combination of claim ~~23~~ 21, wherein the upper surface of the disk has a plastic tab jutting out.

25. (new) The combination of claim 13, wherein the plastic food container is of a size and shape sold under a brand name Tupperware®, a brand name Glad® or a brand name Ziplock®.

26. (new) The combination of claim 25, wherein an upper surface of the disk conforms to a shape of the lower surface of an identical disk for stacking purposes during storage.

27. (new) The combination of claim 17, wherein the plastic food container is of a size and

shape sold under a brand name Tupperware®, a brand name Glad® or a brand name Ziplock®.

28. (new) The combination of claim 27, wherein an upper surface of the disk conforms to a shape of the lower surface of an identical disk for stacking purposes during storage.

29. (new) The combination of claim 21, wherein the plastic food container is of a size and shape sold under a brand name Tupperware®, a brand name Glad® or a brand name Ziplock®.

30. (new) The combination of claim 29, wherein an upper surface of the disk conforms to a shape of the lower surface of an identical disk for stacking purposes during storage.

31. (new) A combination of a thermal preservation insert and a plastic food container, comprising:

a multi-compartment plastic food container, each compartment including a bottom and a compartment container wall, said compartment container wall having a lower portion that meets the bottom,

a thermal preservation insert for each compartment, each thermal preservation insert comprising:

a disk, the disk containing a thermal preservation fluid completely buried inside the disk,

the disk having a lower surface that conforms to a shape of the bottom of the plastic food container, and

the disk having a side that conforms to a shape of the lower portion of the container wall of the plastic food container, the disk resting on the bottom of the compartment of the plastic food container, said disk not fastened to a part of the plastic food container.

32. (new ) A method of preparing a plastic food container so that it can store food in a thermally controlled way, comprising:

(a) providing a plastic food container, said plastic food container including a bottom and a container wall, said plastic food container wall having a lower portion that meets the bottom,

(b) providing a thermal preservation insert, the insert comprising:

a disk, the disk containing a thermal preservation fluid completely buried inside the disk,

the disk having a lower surface that conforms to a shape of the bottom of the plastic food container, and

the disk having a side that conforms to a shape of the lower portion of the container wall of the plastic food container

(c) placing the thermal preservation insert inside the plastic food container so that the disk rests on the bottom of the plastic food container and so that the disk is not fastened to a part of the plastic food container.

33. (new ) The method of claim 32, wherein providing a plastic food container means providing a plastic food container of a size and shape sold under a brand name Tupperware®, a brand name Glad® or a brand name Ziplock®.

34. (new) The method of claim 32, wherein providing a thermal preservation insert means providing a thermal preservation insert that has a tab on an upper surface of the disk.

35. (new) The method of claim 32, wherein providing a thermal preservation insert comprising a disk means providing such an insert comprising a disk wherein an upper surface of the disk conforms to a shape of the lower surface of an identical disk for stacking purposes during storage.

36. (new) The method of claim 35, wherein providing a plastic food container means providing a plastic food container of a size and shape sold under a brand name Tupperware®, a brand name Glad® or a brand name Ziplock®.

37. (new) The method of claim 35, wherein providing a thermal preservation insert means providing a thermal preservation insert that has a tab on an upper surface of the disk.

In the Description:

Please revise the first paragraph on page 11 so that it reads:

--In addition, as best seen in FIG. 4a, the thermal preservation insert 10 also has the option of resting in the middle of the height of the plastic food container 70. This only applies where the plastic food container 70 has a sloping wall which is the case with most of the popular brands of plastic food containers. In that case, the plastic food container 70 includes a bottom 75, a sloping container wall 178 and an interior space surrounded by and defined by the sloping container wall 178 narrowing toward the bottom 75. The plastic food container 70 has a lower portion 178a of sloping container wall 178 that meets the bottom 75. The thermal preservation insert 10 is the same flat disk 20 containing freezable or heatable fluid or material 22 completely buried inside the disk 20 and flat disk 20 has a lower surface 30 that conforms to the shape of the bottom 75 of the plastic food container 70, a substantially flat and preferably smooth upper surface 40, and a side 50 that conforms to the lower portion 178a of the sloping container wall 178 of the plastic food container 70. The flat disk 20 is capable of being inserted into the plastic food container 70 so as to rest on an intermediate portion of sloping container wall 178 of the plastic food container 70 or on the bottom 75 of the container 70. This does not refer to the same flat disk but rather to two different disks. As seen from FIG. 4A, the second disk is identical to the first except that it has a slightly larger diameter than the first disk and that the side 50 of the second disk conforms to the intermediate portion of the sloping container wall 178 rather than to the lower portion 178a of the sloping container wall 178. Thus, the second disk is capable of resting on the intermediate portion of the sloping container wall 178.--

Please add a paragraph on page 12 after the first full paragraph on that page beginning on line 18:

--Alternatively, as shown in FIG. 6, the insert 10 of the present invention can be in combination with a multi-compartment plastic food container 70 wherein each compartment of the multi-compartment container 70 includes a bottom and a compartment container wall, the compartment container wall having a lower portion that meets the bottom. Resting on the bottom of each compartment is a disk 10 of the present invention having the structure of the disks 10 previously described (i.e. shaped to conform to the bottom of the compartment and to the lower portion of the compartment container wall).--

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Please amend the last paragraph on page 10 so that it now reads as follows:

Upper surface 40 of disk 20 is not only substantially flat but also substantially smooth for sanitary reasons so that food stains do not accumulate during re-use. Alternatively, the upper surface 40 of the disk 20 can have a pattern of protrusions (not shown) that are the inverse shape of the lower surface 30 of the disk 20, the purpose being that one freezer insert 10 would be able to nest onto another freezer insert 10 for space-saving purposes when stacking the freezer inserts 10 in the freezer. The protrusions would still be regular enough so that upper surface 40 of disk 20 can be easily cleaned. Thus upper surface 40 of disk 20 conforms to a shape of the lower surface 30 of an identical disk 20.

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